

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO.: 05-451M
Plaintiff,)
v.) DETENTION ORDER
OCTAVIO GONZALES-VALDEZ,)
Defendant.)

Offense charged:

Illegal Reentry after Deportation

Date of Detention Hearing: Initial Appearance September 14, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by complaint with re-entering the United States without permission having previously been arrested and deported.

(2) Defendant has a criminal record that includes prior immigration violations, failure to identify fugitive from justice, criminal trespass, controlled substance violations, probation

01 violations, improper reentry by alien previously deported, aggravated assault, obstructing a public
02 servant, theft, and criminal trespass. The defendant is associated with five alias names and four
03 dates of birth.

04 (3) The defendant was not interviewed by Pretrial Services. He is a native and citizen
05 of Mexico. There is no additional information available regarding his personal history, residence,
06 family ties, ties to this District, income, financial assets or liabilities, physical/mental health or
07 controlled substance use if any.

08 (4) An immigration detainer has been filed. Therefore, the defendant does not contest
09 detention.

10 (5) The defendant poses a risk of nonappearance due to his status as a native and
11 citizen of Mexico who has been previously deported four times, unknown ties to this District, two
12 outstanding warrants in other districts, association with aliases, and immigration detainer. He
13 poses a risk of danger based on criminal history.

14 (6) There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
16 to other persons or the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the
19 Attorney General for confinement in a correction facility separate, to the extent
20 practicable, from persons awaiting or serving sentences or being held in custody
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with
23 counsel;

24 (3) On order of a court of the United States or on request of an attorney for the
25 Government, the person in charge of the corrections facility in which defendant is
26 confined shall deliver the defendant to a United States Marshal for the purpose of

an appearance in connection with a court proceeding; and

- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 15th day of September, 2005.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge